

CONGRESSIONAL RECORD SUMMARY

Monday, November 5, 2001

SENATE

Measure Introduced:

S. 1630. *A bill to extend for 6 additional months the period for which chapter 12 of title 11, United States Code, is reenacted; to the Committee on the Judiciary.*

Carnahan

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H.R. 3061. Labor/HHS/Education Agreement:

*A unanimous-consent-time agreement was reached providing for further consideration of H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, at 2:15 p.m., on Tuesday, November 6, 2001, with a vote on a motion to close further debate on **Daschle Amendment No. 2044**, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, to occur at 2:30 p.m.*

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"...Madam President, the Daschle amendment is simply another amendment in the long tradition of amendment after amendment basically federalizing things that have been under the purview of State and local government for many years. Usually, we choose a politically opportune moment to do this; we give lipservice all the time to the concept of federalism. We have tort reform debates, where it comes up many times in many different ways, and many proponents of the Daschle amendment and I have joined together in pointing out that we should be slow to federalize things that have been under the purview of State law for 200 years. [] Those who are promoting this amendment a short time ago, during the Patients' Bill of Rights debate, were taking the position that State liability law should apply; that State courts should be the ones to determine State liability. Federalism was a good thing back then. Federalism was a good thing when we considered issues on tort reform. But now we have an amendment that basically federalizes and preempts State and local laws regarding the unionization of public safety officers..." (Thompson, Page S 11448)

Nominations Confirmed:

Senate confirmed the following nomination:

By a unanimous vote of 83 yeas (Vote No. 322), Larry R. Hicks, of Nevada, to be United States District Judge for the District of Nevada.

Pages S 11429-31, D 1098

"... Today we will confirm another judicial nominee--actually our 13th since July 20. Since becoming chairman of the Judiciary Committee, after the delay in Senate reorganization and assignment of Committee members, I have taken seriously the responsibility to fill these vacancies on the federal courts around the country with consensus nominees. [] We have confirmed as many court of appeals judges as were confirmed in the entire first year of the Clinton administration in 1993-- actually four more than the zero total confirmed by the Senate under other control in all of the 1996 session. We are moving forward. I think we have hearings on five more judicial nominees this week. Of these nominees, the ABA peer reviews on several were only completed and received last week..." (Leahy, Page S 11429)

Committee Meetings For Tuesday, November 6, 2001:

Committee on Governmental Affairs: @ 2:30 p.m. To hold hearings to examine the nomination of *Odessa F. Vincent*, of the District of Columbia, to be an *Associate Judge of the Superior Court of the District of Columbia*. SD-342.

Committee on the Judiciary: @ 10:00 a.m. Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine new threats to America, focusing on germs, toxins, and terrorism. SD- 226.

Committee on the Judiciary: @ 2:00 p.m. Full Committee, to hold hearings on the nomination of *Thomas L. Sansonetti*, of Wyoming, to be *Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice*. SD-226.

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Committee Meetings Scheduled:

Committee on the Judiciary, 11/7/01 @ 10:00 a.m. To hold hearings on the nomination of *Joe L. Heaton*, to be *United States District Judge for the Western District of Oklahoma*, the nomination of *Clay D. Land*, to be *United States District Judge for the Middle District of Georgia*, the nomination of *Frederick J. Martone*, to be *United States District Judge for the District of Arizona*, the nomination of *Danny C. Reeves*, to be *United States District Judge for the Eastern District of Kentucky*, the nomination of *Julie A. Robinson*, to be *United States District Judge for the District of Kansas*; and the nomination of *James Edward Rogan*, to be *Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office*. SD-226.

Committee on the Budget, 11/7/01 @ 2:00 p.m. Business meeting to consider S.J. Res. 28, suspending certain provisions of law pursuant to section 258(a)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985. SD-562.

Committee on the Judiciary, 11/8/01 @ 10:00 a.m. Business meeting to consider pending calendar business. SD-226.

Committee on Governmental Affairs, 11/13/01 @ 9:30 a.m. Investigations Subcommittee to hold hearings to examine how the Immigration and Naturalization Service processes persons arrested for illegal entry into the U.S. outside ports of entry. SD-342.

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Remarks:

Important Issues Facing Congress.

"... The largest company that employs workers to screen baggage at airports has been found guilty of violating all kinds of FAA rules and regulations. They have violated training. They have hired ex-criminals. They have not adequately supervised them. They have falsified records. They were fined by the Federal Government for their behavior and 2 years later, after being put on probation, were discovered to have violated their probation with the same problems. This is the largest company in this country that hires these workers. In fact, it is a foreign company, but it is the largest employer of screeners in America..."

Dorgan

Pages S 11423-4

Nomination Of John Walters. (Nominee for Director of the Office of National Drug Control Policy)

Kyl

Pages S 11425-7

Remarks (Cont'd.):

Visa Entry Reform Act.

*"... I would also like to note a related problem. Increasing penalties for illegal immigration has little meaning if the laws are not followed. In a hearing which I chaired in the last Congress in the Criminal Justice Oversight Subcommittee of the Senate Judiciary Committee, we showed that many criminals, especially illegal aliens at the Southwest Border, are routinely being sentenced far below what the law requires. To control the huge number of cases on the dockets in many border states, many defendants are being sentenced far below the ranges established in the Sentencing Guidelines in exchange for guilty pleas. Often, guilty pleas are for charges much less serious than the government could provide in court. To address this problem, **we need to increase judicial and related resources in these areas.** We should increase the number of authorized judgeships at the Southwest Border, which has already been proposed, and the Senate should quickly consider **judicial nominations** from the President for existing vacancies in these areas. Also, these areas have inconsistent policies, and the Justice Department needs to work with these districts to create consistency. It is critical that we strictly enforce the immigration laws that are already on the books..."*

Thurmond

Pages S 11433-4

HOUSE

Bill Introduced:

H.R. 3228. A bill to amend the Air Transportation Safety and System Stabilization Act to provide compensation to victims of terrorist-related anthrax infections following the terrorist-related aircraft crashes of September 11, 2001; to the Committee on the Judiciary.

Gephardt

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Committee Meetings For Tuesday, November 6, 2001:

Committee on Energy and Commerce, @ 2:30 p.m. Subcommittee on Oversight and Investigations, hearing entitled "*Charitable Contributions for September 11: Protecting against Fraud, Waste, and Abuse.*" 2123 Rayburn.

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Next SENATE MEETING: Tuesday, 2:15 p.m., November 6, 2001.

Next HOUSE MEETING: Tuesday, 12:30 p.m., November 6, 2001.

OLA: S. Schwarz (Smith)